

employers on the basis of genetic discrimination.

LOUISE SLAUGHTER is doing an outstanding job fighting insurance discrimination based on genetic information. Employment discrimination poses another threat to those women who want to be tested for the breast cancer gene but fear that the information will be used against them. Our bill would amend title VII of the Civil Rights Act to permit a cause of action for those who have been discriminated in the workplace on the basis of genetic information.

Congress also needs to act on legislation which would provide a minimal standard of care for women undergoing a mastectomy. The DeLauro bill provides a 48-hour minimal hospital stay. The Eshoo and Kelly bills provide reconstructive surgery. Insurers must not turn women out on the street involuntarily after a major procedure such as a mastectomy and they must not see reconstructive surgery as merely cosmetic surgery. Unfortunately, Congress has yet to hold hearings on any of the bills dealing with this issue and that's simply not acceptable.

Let's applaud the progress we have made in ending the scourge of breast cancer but now turn our attention to the many battles ahead.

#### IN MEMORY OF MARK WELLS

#### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 28, 1997*

Mr. KUCINICH. Mr. Speaker, I rise today to honor the memory of Mark Wells, of Olmsted Township, OH, whose life was tragically ended a year ago on October 28, 1996.

Mr. Wells, 41, had been a mail carrier in North Olmsted and Lorain, OH, since 1987. He was well-liked and respected by his co-workers. Last year, Mr. Wells was on duty, standing behind his mail truck on a quiet Lorain Street, when a man with a history of driving under the influence drove his pickup around the corner and struck him. Mr. Wells died a short time later from multiple injuries.

The unfortunate accident stunned his family and coworkers at the post office. The pickup driver's sentence of 1 month's jail time, a suspended license and a small fine was a second blow. A memorial service will be held in honor of Mr. Wells on the anniversary of his untimely death.

#### TO AMEND THE CHARTER OF SOUTHEASTERN UNIVERSITY

#### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 28, 1997*

Ms. NORTON. Mr. Speaker, I rise today to introduce legislation which would remove the provision in the Southeastern University charter requiring that one-third of the board of trustees be Southeastern alumni. Southeastern University President Charlene Drew Jarvis and the board of trustees have asked me to introduce this corrective measure.

Southeastern University was incorporated by act of Congress on August 19, 1937. Its

charter contains a provision requiring that one-third of the university's board of trustees be alumni. On September 9, 1997, I received a letter from Southeastern University President Charlene Drew Jarvis asking that I introduce legislation to remove this provision. On September 9, 1997, I also received a letter from Board of Trustees Chair Elizabeth Lisboa-Farrow confirming that the board of trustees had authorized President Jarvis to seek this change. Copies of both letters are attached. The board of trustees would like this provision removed in order to let the university draw from a wider pool of potential board nominees. Because the university was incorporated by an act of Congress, only the Congress can effectuate this change.

Southern University is an important and productive institution which contributes to the economy of the District of Columbia by offering undergraduate and graduate degree programs geared specifically to the needs of working professionals. Under the able leadership of Southeastern's new president, Dr. Charlene Drew Jarvis, the university has begun to rebound from difficult financial circumstances. This legislation will allow Southeastern to expand its fundraising potential to complement these efforts. I urge my colleagues to support this corrective measure.

SOUTHEASTERN UNIVERSITY

OFFICE OF THE PRESIDENT,

*Washington, DC, September 9, 1997.*

Congresswoman ELEANOR HOLMES NORTON,  
*U.S. House of Representatives, Longworth Building, Washington, DC.*

DEAR CONGRESSWOMAN NORTON: I have been authorized by the Board of Trustees of Southeastern University to write to you to ask that you assist the university in obtaining an alteration of the Congressionally-guaranteed charter of the university.

On Page 697 of the United States Statutes At Large for 1937 (Vol. 50, Part I), an Act of Congress is recorded as Chapter 700. This law, which was approved on August 19, 1937, amended an earlier certificate of incorporation granted within the District of Columbia and officially renamed the institution "Southeastern University."

The act also specified in part as follows: "Sec. 3. That the management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than twenty-one in number as determined from time to time by said board of trustees, one-third of whom, at all times, shall be graduates of the said university, of the qualifications prescribed by the board of managers of the Young Men's Christian Association of the city of Washington, a corporation organized and existing under and by virtue of the Act of Congress approved June 28, 1864 (13 Stat. L. 411 and the Acts amendatory thereof), nominated by the alumni of the said university in the manner prescribed by said board of managers, and all of whom shall be elected by said board of managers; . . . so that the term of office of one class shall expire annually."

The act further specified, in another section: "Sec. 9. That nothing in this Act contained shall be construed as preventing the Congress from amending, altering, annulling, or repealing the same or any part thereof."

An Act amending the charter, approved on October 10, 1966, did contain significant changes in the language of Section 3, but it neglected to address the issue we are writing to you about today. Similarly, another Act amending the charter was approved on March 29, 1976, but it did not change the relevant language of that section, either.

Our request is that, under the authority of Section 9 of the Act, Congress now delete the provision within Section 3 of the charter which requires that fully one third of the Board of Trustees of Southeastern University at all times be alumni of the institution.

We seek this change because a new and more broadly-based Board of Trustees would be a more active and vigorous one, able to fund raise throughout the region and the country, unconstrained by restrictions placed upon it at a time when fund-raising was not such a significant aspect of service on university governing boards.

Let me assure you and your colleagues that the Board of Trustees understands that it is an excellent idea for alumni to serve on the governing board of this university. Indeed, our current Secretary of the Board is Dr. Ephraim Okoro, a much valued professor of Public Administration. Dr. Okoro is an outstanding alumnus, holding multiple degrees earned here. Several additional current members of the Board are alumni, as well. Therefore, the governing board certainly shall endeavor to continue to have graduates elected to such positions.

Our request, in conclusion, is that Congress amend Section 3 of the charter, to delete the reference restricting Southeastern University's ability to meet its mandates. The preferred language, based on that contained within the October 10, 1966, act, would be: "Sec. 3. The management of the said corporation shall be vested in a board of trustees consisting of not less than nine nor more than thirty in number as determined from time to time by said board of trustees. Each trustee shall be elected for a term of office of three years from the date of expiration of the term . . . of such predecessor."

Thank you very much for helping in this matter. If we at Southeastern University can be of aid as the process of amendment occurs, we would be most happy to provide whatever assistance is requested. Please do not hesitate to call upon us.

Sincerely yours,

CHARLENE DREW JARVIS, Ph.D.

*President.*

SOUTHEASTERN UNIVERSITY,  
BOARD OF TRUSTEES,

*Washington, DC, September 9, 1997.*

Congresswoman ELEANOR HOLMES NORTON,  
*Member, U.S. House of Representatives, Longworth Building, Washington, DC.*

DEAR CONGRESSWOMAN NORTON: We, the Members of the Board of Trustees of Southeastern University, have authorized our university president, Dr. Charlene Drew Jarvis, to request from you Congressional action in order that the charter granted to us in 1937 by Congress be adjusted slightly.

The change we seek would delete from the charter that provision which requires that fully one third of the members of the Board be drawn from amongst ranks of our alumni. Dr. Jarvis will be writing to you with a citation drawn from our existing charter and the language we request in its place. The reason we seek this change is so that we may draw from a wider pool of potential Board nominees who can do significant fund-raising for the university.

Thank you for assisting us in this pertinent matter. Thank you, also, for your consistent support of the cause of higher education here in Washington.

Sincerely yours,

ELIZABETH LISBOA-FARROW,

*Chair.*